CLERK'S OFFICE U.S. DIST. COURT AT DANVILLE, VA FILED-TOX

NOV 0 3 2005 JOHN F. CORCORAN, CLERK

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

TIMOTHY D. MARTIN,	)
Petitioner,	Civil Action No. 7:05CV00337
	)
v.	) FINAL ORDER
	)
CLIFFORD F. HAPGOOD,	) By: Hon. Jackson L. Kiser
Respondent.	) Senior United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

## **ORDERED**

that the respondent's motion to dismiss is **GRANTED**, and the petition shall be stricken from the active docket of the court.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 36 day of Nov. , 2005.

Senior United States District Judge